

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/820,304

Patent No.: 6,941,769 B1

Inventor(s): Hill, IV, et al.

Attorney Docket No.: 20712-0107

Title: FLASH TANK ECONOMIZER REFRIGERATION
SYSTEMS

Group Art Unit: 3744

Examiner: Melvin Jones

Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND OF PUBLICATION FEE

Pursuant to 37 C.F.R. § 1.211(e) Applicant hereby requests the refund of the Publication Fee paid in the above referenced Application. Applicant paid the publication fee of \$300.00 contemporaneously with the payment of the Issue Fee on February 14, 2005. The Application was not published pursuant to 37 C.F.R. § 1.211(a)(3) because the Application issued as a patent in sufficient time to be removed from the publication process and, as such, Applicant is entitled to the refund of the Publication Fee. Alternatively, Applicant submits that the Application was not published pursuant to 37 C.F.R. § 1.211(a)(1) or 35 U.S.C. § 122(b)(2)(A)(i) because the Application was no longer pending, i.e., because it issued as a patent, at the time of publication and, as such, Applicant is entitled to the refund of the Publication Fee.

Therefore, Applicant hereby requests that the Publication Fee of \$300 paid in the above-referenced Application be refunded or credited to Deposit Account 50-1059 pursuant to 37 C.F.R. § 1.211(e) because the Application was not published by the United States Patent & Trademark Office. If there are any questions about this Request, please contact the undersigned.

Respectfully Submitted,
McNees Wallace & Nurick LLC

Dated: May 25, 2006

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